

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

James R. Thompson Center
Murdock Room - DHS
100 W. Randolph Street
Chicago, Illinois 60601

ROOM: HALLSTROM HEARING ROOM, STE 5-118

Human Rights Commission
Legislative Committee Meeting
December 12, 2011
9:00 a.m.

MINUTES

Present: Commissioners

David Chang
Robert A. Cantone
Patricia Bakalis Yadgir
Martin Castro

Staff

Keith Chambers
Donyelle Gray

I. Call to Order

The meeting of the Human Rights Commission legislative committee was called to order at 9:06 a.m. by Committee Chair Commissioner David Chang. Joining the regular committee members were also Chairman Martin Castro and Commissioner Patricia Bakalis Yadgir, for the purpose of discussing bullying prevention and the possible expansion of the Illinois Human Rights Act ("the Act") to include protection against bullying.

II. Discussion of Possible Expansion of the Illinois Human Rights Act to Include Protection Against Bullying

Committee Chair Commissioner Chang and Acting General Counsel Donyelle Gray made opening remarks regarding the subject matter of today's committee meeting, and then the floor was opened to others for comments and input.

Chairman Castro raised the issue of focusing on bullying as it relates to protected

classes and exploring what the Commission's function could be relative to schools and school districts. Chairman Castro indicated that while the Illinois State Board of Education ("ISBE") has an anti-bullying policy in place, there is little guidance provided on how to enforce the policy.

Then discussion was generally had regarding the role the Commission could play relative to increasing awareness around bullying, and the value the Commission could add relative to this issue.

One possibility raised was that the Commission could serve a reporting function and be a part of a mechanism of holding schools accountable for responding to bullying in the schools. Regarding anti-bullying policies, another idea discussed was the possibility of the Commission playing a role in the enforcement process to determine if in fact schools were following their anti-bullying policies. Another role suggested was that the Commission play a role in determining whether or not the schools adequately responded to investigations into bullying claims. All ideas were for discussion purposes at this stage, and no final decision was made regarding the precise role the Commission would play. Further discussion on this point would be continued amongst the entire body at the December *en banc*.

Commissioner Cantone then raised the issue of whether or not the addition of bullying to the Act would allow for the creation of an entirely new protected classification. The discussion veered back to the conclusion that for now, the focus of any proposed amendments to the Act would be on bullying on the basis of protected classes, as those protected classes are enumerated in the Act.

Commissioner Cantone also raised points the Commission should be attuned to regarding changes to the Act to add protection against bullying: **(1)** Is the Commission seeking to create a process of education and information relative to the harms caused by bullying? **(2)** Consider the creation of a mission statement relative to our stance against bullying as a civil right. **(3)** The creation of initiatives outside of the Commission's formal function as an adjudicatory body.

Executive Director Keith Chambers indicated that the Legislative Research Unit could assist the Commission in crafting any bill language relative to amending the Act. Mr. Chambers would bring the draft back to the Commission to determine if it met the Commission's intent.

Chairman Castro indicated he wanted us to engage in discussion with the Governor's office first before actively exploring amendatory legislation.

All attendees generally agreed that raising the issue, even if no legislation passed, would create a healthy dialogue on tolerance, which may help the Commission reach people early on and prevent them from becoming adult Respondents in proceedings before the Commission.

The Committee determined that the next steps would be to report on the Committee's discussion to all of the Commissioners at the next *en banc*, see if there was consensus among the entire body, and further discuss the issue with the Governor's office and other stakeholders.

III. New Business

None.

IV. Adjournment

The legislative committee meeting was adjourned at 10:18 a.m. Motion made by Chairman Castro, seconded by Commissioner Cantone. Motion carried.